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REGISTRATION AND TELEPHONE
NETWORK CONNECTION RULES

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PUBLIC FORA ON DEREGULATION/
PRIVATIZATION OF EQUIPMENT

REGISTRATION AND TELEPHONE
NETWORK CONNECTION RULES

U.S. Federal Communications
Commission
Room No. 100
445 12th Street, S.W.
Washington, D.C.

Monday,
July 12, 1999

The parties met at 9:00 a.m.

BEFORE: SUSAN MAGNOTTI
Common Carrier Bureau

APPEARANCES:

THE COMMISSION:

DOUG SICKLER
Office of Engineering Technology

BILL HOWDEN
Common Carrier Bureau

KURT SCHROEDER
Deputy Chief, CCB
Network Services Division

DALE HATFIELD
Chief, Office of Engineering & Technologies

YOG VARMA
Deputy Chief, Common Carrier Bureau

ANNA M. GOMEZ

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STEPHEN WHITESELL
NEIL SKAU
JOHN WAGNER
Lucent Technologies, Inc.

JOHN SHINN
RAYMOND L. STRASSBURGER
Nortel Networks, Inc.

JOHN GODFREY
Information Technology Industry Council

STAN ROBERTS
Cisco Systems, Inc.

WILLIAM S. HURST
ANH T. WRIDE
Communication Certification Laboratory

TRONE BISHOP
Bell-Atlantic

CLINT PINKHAM
Thomson Consumer Electronics

PAUL K. HART
United States Telephone Association

CLIFF CHAMNEY
Sprint

JIM HEARST
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P R O C E E D I N G S

MR. SCHROEDER: Okay. Let me give it another shot here. I was about to say my name is Kurt Schroeder. I'm one of the deputy chiefs of the Common Carrier Bureau Networks Services Division. I want to welcome you all here and thank you for coming to our forum on Part 68 Privatization Streamlining Deregulation.

Offering opening remarks this morning will be two people whom you may already be very familiar with. One is Dale Hatfield, Chief of our Office of Engineering and Technology. The other will be Yog Varma, Deputy Chief of the Common Carrier Bureau.

And I guess with that, I'll turn it over to Dale.

MR. HATFIELD: Thank you, I appreciate the offer -- opportunity to offer some brief -- very brief remarks at the opening of these public fora regarding the possibility of deregulating, privatizing or streamlining the Commission's equipment registration and telephone network connection requirements contained in Part 68 of the Rules. I am especially interested in this effort because as it turns out, I was here at the Commission in the mid-1970s, in the early days of the Part 68 effort. And I can even remember the days of acoustic couplers, phone patches and protective coupling arrangements.

Given where we were then and where we are now, I

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1 think it's clear that Part 68 has been enormously successful
2 in terms of encouragement of development of an extremely
3 robust competitive market for the provision of CPE while
4 protecting the telephone network from technical harm. But
5 as we all recognize, there have been dramatic changes in the
6 technology, in the telecommunications marketplace and on the
7 pressure on our resources here at the Commission since the
8 basics of the Part 68 process were established more than two
9 decades ago.

10 Given these changes, I look forward to hearing
11 from the industry on what aspects of the Rules are still
12 worthwhile, and which might benefit from major revision. I
13 should that I am personally very supportive of the Common
14 Carrier Bureau's efforts to reexamine the Part 68.
15 Accordingly, while the Common Carrier Bureau is leading this
16 effort, my office, the Office of Engineering and Technology,
17 is very anxious and pleased to provide technical advice and
18 support.

19 Let me close by adding my welcome and thanks to
20 the industry panelists who will be participating in the fora
21 today and tomorrow. We greatly appreciate your taking the
22 time at these sessions to help us in our endeavors to
23 reexamine Part 68.

24 MR. VARMA: Thanks very much, Dale, and good
25 morning, everyone.

1 I, too, would like to welcome all the panelists on
2 behalf of the Common Carrier Bureau as well as the Office of
3 Engineering and Technology. I'd like to thank you all for
4 coming to these fora and sharing your insight, your
5 expertise and your judgment and informing and advising us so
6 that we can move forward on the issue that we have earmarked
7 for the three fora today and tomorrow.

8 As you know, the genesis of this proceeding and of
9 these fora goes back to the mid-70s, as Dale pointed out
10 earlier. When the customer premises equipment or CPE was
11 first opened up to competition, some of you may recall that
12 at that time, the industry said it could not be done. But
13 yes, as we know, it could be done.

14 Even when the industry was persuaded that it could
15 be done, it came back by asserting that it could only be
16 done through protective interconnecting devices, which, I
17 recall from my days at the New York Commission, often cost
18 more than the CPE that these protective devices were
19 supposed to protect against. The industry said it could not
20 be done without the protective devices, but later on, as we'
21 all know, it could be done.

22 Now, more than 20 years after that, it comes to me
23 as a little bit of a surprise as a I come to the Commission
24 from the outside, that we're still involved. The FCC is
25 still involved.

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1 I think that the CPE market and the competition
2 that has been introduced in the market is one of the best
3 success stories concerning the introduction of competition
4 into radio segments of the Telecom market. As a matter of
5 fact, I believe that our next generation does not even know
6 that at one time, CPE could only be procured from the
7 monopoly telephone companies. My sons don't, as a matter of
8 fact. They can't comprehend why there was ever a need for
9 there to be a monopoly.

10 I think at this point in time in my view, we are
11 at the crossroads again. Even as I work for the government,
12 I would like the government to get off the back of people --
13 to get off people's back. Even as I work for the FCC, I
14 would like to see a diminished role for the FCC as far as
15 Part 68 is concerned.

16 Of course, if there is a legitimate and compelling
17 reason for the FCC to remain involved, I think we should.
18 But in my view, our role should be as minimal as possible.

19 If the industry can come to some closure on these
20 issues, I think that our role at the FCC could be either
21 modified or reduced or perhaps eliminated altogether. After
22 all, there is a variety of segments in the Telecom industry
23 that have different, perhaps opposing interests, like in the
24 marketplace where you have buyers and sellers coming to some
25 agreement because of the inherent tension that buyers and

1 sellers have as far as their interests are concerned.

2 I believe that there is enough divergence in the
3 interests of various segments of the industry as far as CPE
4 is concerned, and that I believe, sets the stage for those
5 interests to come together on their own, I hope, without the
6 continued involvement of the FCC.

7 For example, the equipment manufacturers may have
8 an interest to bring latest technology to the consumers as
9 soon as possible. The industry operating the networks may
10 also have an interest in ensuring that the network is not
11 harmed. They might not share the same degree of expediency
12 as far as the introduction of new CPE and new technology is
13 concerned.

14 The testing laboratories probably come somewhere
15 in the middle. But the point here is that there are enough
16 divergent interests for them to be able to come to closure
17 without Federal involvement. I think that they will need to
18 reach some compromises, some accommodations. And they will
19 need to reach some accords. And that, I hope, will enable
20 them to create a new paradigm in which there is a
21 significantly diminished role for the FCC.

22 In my own personal view, I think we ought to have
23 the following goals in these fora -- number one,
24 introduction of new CPE and new technology as soon as
25 possible on an ongoing basis with minimal delay, so that the

1 consumers can benefit. I think the pace of technology, as
2 you all know, has picked up so much that we need to come up
3 with a new paradigm that doesn't slow it down.

4 Number two, we need to make absolutely sure that
5 the network is protected. Whether we do it through
6 declaration of conformity, verification or even some form of
7 registration within the industry is something that needs to
8 be figured out.

9 Number three, as far as practicable, in my own
10 personal view, the industry should manage these things on
11 their own, and that they ought to privatize as much as
12 possible.

13 And number four, there should be a minimal role
14 for the FCC to play.

15 I hope you share some of these goals with me and
16 will provide us the tools to develop a notice of proposal
17 making, first, and perhaps more substantive input later, so
18 as to set the stage for the transition from a government-
19 regulated program to a privately administered and managed
20 one in due course.

21 I know we can't get there tomorrow. We can't get
22 there next week or next month or perhaps even next year.
23 But I hope that in the long run, howsoever long it takes, we
24 are able to reach where we need to be.

25 With that, I would like to address to you to

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1 please guide us to get there, to please inform us to get
2 there and let us go there as soon as we can systematically
3 and in an orderly manner.

4 With that backdrop, we look for your guidance at
5 these fora. And I thank you once again, and I would pass it
6 on to Susan Magnotti for continuing with the proceedings.
7 Thank you.

8 MS. MAGNOTTI: Thank you. Okay. I want to add my
9 welcome to everyone else's, and thank you all for coming to
10 participate.

11 This is the first forum of our series of forums.
12 The title is, "Technical Criteria for CPE and
13 Interconnection." And this morning, we're going to consider
14 the technical roles that are in Part 68.

15 In our public notice that was released June 10, we
16 asked three questions. The first is, as 47 C.F.R. Part 68
17 stands now, what rules are clearly no longer necessary? The
18 second question is, if specific criteria are necessary to
19 protect the telephone network, what are they, and why are
20 they necessary? And third is, if criteria to protect the
21 network are necessary, how shall these criteria be
22 structured to address the requirements of new technology?

23 So in order to start our forum, we are going to
24 have opening statements from a cross-section of the
25 industry. That's not to say that the FCC is considering

1 their comments ahead of anyone else's. It's just that we
2 want to get the ball rolling with some good discussion this
3 morning.

4 We'll take a break at about 10:30. And without
5 further ado, I'd like to call on the people who are giving
6 opening statements this morning, Mr. Bishop from Bell-
7 Atlantic, Mr. Hart from USTA, Ms. Wride from Communications
8 Certification Laboratory, Mr. Pinkham from Thomson Consumer
9 Electronics and Mr. Shinn from Nortell Networks.

10 It doesn't matter what order you go in. Are you
11 ready? Okay.

12 MR. BISHOP: Thank you. I'm Trone Bishop with
13 Bell-Atlantic. I'm a senior member of the technical staff
14 and a new services technology department. I've been
15 involved in Part 68 matters for some time, particularly as
16 they relate to various standards organizations such as
17 T(1)E(1) and TR(41).

18 In Bell-Atlantic, we believe -- we are, first of
19 all -- we don't like regulation. We would prefer not to
20 have regulations. However, when it comes to Part 68, we
21 recognize that there does need to be mandatory regulations
22 for CPE interconnecting with the network in order to protect
23 the network from harm.

24 We feel that these should be a minimal set of
25 requirements, which we believe they are, not dealing with

1 the compatibility or performance, but a few essential
2 regulations to protect the network from harm. We think we
3 have that in Part 68.

4 There are perhaps a few rules that have become
5 obsolete. We believe those should be removed. And we see
6 the biggest problem, though, is the fact that are there new
7 technologies that need rules in Part 68. And we think there
8 needs to be a method whereby the FCC can move faster to put
9 these rules in Part 68.

10 It's a pleasure for me to be here today. And I
11 hope for a lively discussion. I may not agree with all the
12 opinions expressed today, but I certainly will listen and
13 try to understand.

14 I notice when the comments were submitted, there
15 was a -- seemed to be a high degree of consensus that there
16 are some rules that are needed to protect the network from
17 harm. And so, I feel like that we're off to a good start.
18 People seem to be willing to discuss these matters, and
19 there's plenty of ideas. And I look forward to talking
20 about them today. Thank you.

21 MS. MAGNOTTI: Thank you. Who would like to go
22 next? All right. Mr. Hart, from USTA?

23 MR. HART: Good morning. My name is Paul Hart.
24 I'm the Vice President of Technical Disciplines of the
25 United States Telephone Association.

1 Like Mr. Hatfield, I was around when all of this
2 got started, too. I was with Continental, and we were
3 having a lot of fun with 1952820774, if you want to go back
4 that far. My comments are going to be very brief and
5 informal, and I, too, appreciate the opportunity to
6 participate in this activity.

7 Part 68 is, as Mr. Varma indicated, I think an
8 example of some of the best of what has been accomplished in
9 recent years and certainly has, I believe, served the
10 industry well and the public. Now, the question is, how do
11 you change it again?

12 In reviewing the comments, we also noticed almost
13 a surprising amount of enthusiasm and willingness to move
14 into a more or let's say, into a less regulated manner in
15 order to handle this. And I really do believe that we have
16 the option to do that, and USTA's comments took that
17 perspective, as well.

18 In the question -- it says, what rules are clearly
19 no longer necessary? I would not seek to sit here and throw
20 rule numbers back and forth across the table at this point.
21 I think if we really want to talk about something here today
22 and make some progress, we ought to talk about what rules we
23 think ought to stay, and not necessarily by rule number, but
24 what basic requirements do we need to keep?

25 Then that goes to the second question. If

1 specific criteria are necessary to protect the telephone
2 network, what are they, and why are they necessary? And
3 then, how shall these criteria be structured to address the
4 requirements of new technology? I also echo the comment
5 that was made that we have a tremendous amount of new
6 equipment. Primarily, the one that gets all the attention
7 today is the various DSL structures. The T(1) committee,
8 even .4 is working very earnestly on that. And I think one
9 of the things we really need to address is, where does that
10 effort fit long term in this program?

11 So to sum up, let me just say that at this point -
12 - I believe that the most important thing for us to do as an
13 industry is establish a consensus or an accord with full
14 participation or buy-in from the industry, including the
15 network operators, including the manufacturers and the
16 Commission as to what framework and what structure we are
17 going to operate in.

18 Because, for example, if you're going to say,
19 okay, let's talk about what specific Part 68 rules we don't
20 need anymore, you're going to need to have an environment in
21 which to do that so that the conclusions of the industry and
22 the best technical advice of the industry can be turned into
23 real action. And before we can do that, I think we really
24 need that structure.

25 I hesitated to do it, but in our comments, we --

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1 it's not a recommendation or a table-pounding view. But it
2 is possible that as we go along in this, we may find that a
3 Federal advisory committee or something of that sort would
4 be helpful because it looks deceptively simple when you
5 start this. Well, you just get rid of this, and you do
6 that. We are talking about developing an entire new
7 structure.

8 And to the extent that the FCC wants to withdraw
9 as much as possible, in the item itself, the FCC has
10 districted some segments of the rules that it says it will
11 not abandon. And we understand the reason for that from a
12 statutory prospective.

13 We need to -- before we can really make any
14 progress, I really believe the industry and the Commission
15 needs to establish a basic understanding and accord as to
16 what we are going to do, what framework we're going to
17 proceed within. And I think a Federal advisory committee
18 might be helpful in that regard. But having said that,
19 that's enough. And I thank you very much for your time.

20 MS. MAGNOTTI: Thank you. Ms. Wride?

21 MS. WRIDE: My name is Anh Wride, and I'm the
22 Director of Engineering for Communications Certification
23 Lab. CCL is a test lab and a certification body with
24 experience in working with the FCC Part 68 since the time
25 that the program started.

1 We have followed the development of the rules from
2 the days when the customer was not allowed to own its own
3 equipment. We have been instrumental in the harmonization
4 of the Part 68 technical requirements between the U.S. and
5 Canada. We appreciate the opportunity to provide input in
6 these forums regarding the Part 68 and its future.

7 In the present forum, three issues have been
8 identified. With regard to issue one, as Part 68 stands
9 now, what rules are clearly no longer necessary? CCL would
10 submit that there are no redundant nor obsolete criteria to
11 be discarded in the current Part 68.

12 Part 68 has just undergone a massive streamlining
13 process as a result of the harmonization with the Canadian
14 CS03. During this process, the obsolete portions of Part 68
15 have been either removed or updated. However, to reduce the
16 bulk of the document, some portions of Part 68 dealing with
17 technical content such as most of Subpart D and Subpart F
18 can be moved to a separate, privatized special industry
19 standard.

20 For discussion purposes, this private sector
21 maintain the standard would be referred to as the ANSI Part
22 68. And I will use the term C.F.R. Part 68 to refer to the
23 document that will be -- that's still within the FCC's
24 control and publishment of their Federal Register.

25 The section so moved will be replaced within the

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1 C.F.R. Part 68 by a one paragraph reference to a specific
2 issue of that industry standard. By referencing a specific
3 issue of that standard, the FCC retains control over the
4 adoption of the standard, and the practice of incorporation
5 by reference is already being used in various sections of 47
6 C.F.R..

7 CCL estimates that 85 percent or approximately 132
8 pages of the entire Part 68 can be reduced in this fashion.
9 The requirements do not disappear since they are still
10 present, in fact, the C.F.R. Part 68. However, the
11 reference industry standard would provide the actual
12 contents of the requirements.

13 With regard to Issue 2, if specific criteria are
14 necessary to protect the telephone network, what are they,
15 and why are they necessary? Historically, Part 68 was based
16 on four broad types of harm -- the protection of the
17 telephone company's personnel, the prevention of damage to
18 telephone company's equipment, prevention of malfunction of
19 telephone company's billing equipment, and prevention of
20 degradation of service to third parties.

21 These type of harms are still a valid concern
22 today, particularly, since twisted cup repairs remain in use
23 as a means of interconnection. Therefore, the rules that
24 support the protection against these harm types must be
25 retained in Part 68.

1 With regard to Issue 3, if criteria to protect the
2 network are necessary, how shall these criteria be
3 structured to address the need of new technologies? CCL
4 would submit that the current regulatory environment
5 produces protracted delays in the adoption of technical
6 rules for new technologies, which demand a fast and timely
7 implementation.

8 In order to address the needs of new technologies,
9 as well as furthering the continual streamlining of
10 regulations, most of the technical requirements in Part 68,
11 as mentioned before, such as those found in Subpart D and
12 Subpart F can be moved to an industry standard under the
13 stewardship of a standards development organization or SDO.
14 The details regarding the selection criteria of this body
15 will be presented as part of Forum 2 this afternoon.

16 The main point affecting the focus of this forum
17 regarding the SDO concept is that this private body will
18 have the industry expertise to respond more quickly to
19 technological innovations and to formulate practical and
20 effective requirements.

21 The CCL handouts contains an appendix proposing
22 the actual wording for each of the sections of the C.F.R.
23 Part 68 that are to be replaced by the paragraph referencing
24 the industry standard. CCL fully supports the use of
25 industry consensus forums to develop technical requirements.

1 However, CCL would urge the Commission to preserve the
2 C.F.R. Part 68 because a single, uniform standard that has
3 the force of law is essential to force the competition to
4 promote economic growth as well as leveling the playing
5 field for manufacturers, network operators, and consumers
6 alike. Thank you.

7 MS. MAGNOTTI: Thank you, Ms. Wride. Mr. Pinkham?

8 MR. PINKHAM: Hi, there. My name is Clint
9 Pinkham. I'm with Thomson Consumer Electronics. I guess my
10 title for this week is manager of communications standards.

11 Unlike those that have just spoken, my entire
12 career in the communications business is a total of about
13 two and a half years now. I'm a relative newcomer.
14 However, I have spent a lot of time in consumer electronics
15 and other fields, which I suppose gives me some sort of
16 basis for making some comments in this forum.

17 I look at the FCC's questions, and I find them
18 just a tad out of order. The first one, which sections are
19 clearly no longer necessary, to me, is secondary to the
20 second question, what is necessary? Once you determine
21 what's necessary, then, basically, you throw out everything
22 else. So I'd like to address that first.

23 And let me say that what is necessary is a set of
24 regulations that have the force of law. I deal on a daily
25 basis with what might be called third tier manufacturers in

1 the Far East who essentially, when it comes to a set of
2 specifications, don't care what the consumer wants. They
3 don't care what the manufacturer -- what the seller wants.
4 They care, what's the rule? They want to know what that is.
5 And so, I firmly believe that there should be a rule
6 somewhere that has the force of law.

7 But what should that rule be? Very simply, the
8 marketplace is very, very good at determining performance.
9 If somebody doesn't perform, they die. But the marketplace
10 is not necessarily capable of determining harm to the
11 network or third party harm. These are secondary effects as
12 far as the producer of the equipment's concerned. So I
13 believe that there is a real need in Part 68 for the
14 protection of the network definition that's already there.
15 And I think it's a pretty good one that's already there.

16 That being said, the remaining question is --
17 well, I'll get back to Number 1 later, but how should Part
18 68 be structured? As I say, I don't have the experience
19 with Part 68 that most of my colleagues here do, but --
20 well, let's see. How do we say this without offending
21 anybody? I have a lot of experience with Part 15. And it
22 seems to me that that's a reasonably good model for how Part
23 68 could be structured.

24 Essentially, if you look at Part 15, it defines
25 what you can do to the ether or the system of the network,

1 if you will, by accident. It defines a set of minimum
2 signals that you can put out and says anybody can do this at
3 any frequency they like. And then, there are a set of
4 specific requirements that apply to various frequency bands
5 throughout the electromagnetic spectrum.

6 Obviously, the telephone lines are now being used
7 by much, much more than voice communication. And I think
8 that a similar approach to that in Part 15 is warranted. In
9 other words, an amplitude versus frequency, however you want
10 to do it kind of approach to protecting the telephone
11 company circuitry. Basically, the signal limitation has to
12 have a frequency dimension on it as well as an amplitude.

13 Okay. That being the next derivative of what's
14 necessary, then what are some of the things that are no
15 longer necessary? It seems to me there's kind of a lot of
16 froufrou in Part 68. Anh touched on this.

17 There's a big section on connectors and jacks that
18 I think is valuable. It defines sort of an interface
19 between the telephone itself and the telephone lines. It's
20 nice, but I don't believe it needs the force of law. And of
21 course, if you adopt a new paradigm for how 68 will work,
22 then the entire registration procedure itself becomes a
23 matter of question and probably should be replaced.

24 Basically, that's about all I have to say, but I
25 do thank you very much for the opportunity to say it.

1 MS. MAGNOTTI: Thank you. Mr. Shinn.

2 MR. SHINN: Thank you. Good morning. My name is
3 John Shinn. I'm the regulatory agency manager for Nortel
4 Networks.

5 A brief history, I started my telecommunications
6 background as a engineer of Western Electric trying to
7 upgrade panel systems, for those who know, in San Francisco
8 quite a few years ago, and have progressed through various
9 things from modem manufacture to running a private lab to
10 presently as Nortel Networks.

11 Anyway, I wish to thank you for inviting me and
12 Nortel Networks to participate in these fora to discuss the
13 options of streamlining and eliminating equipment
14 registration, telephone network connection requirements.

15 Nortel Networks believes that 47 C.F.R. Part 68
16 rules are necessary and relevant to the purpose of defining
17 requirements for attaching terminal equipment to the public
18 switch network, particularly, since a twisted copper pair
19 remain in use as a means of connecting customer premises
20 equipment to the central office.

21 The primary purpose of the rules has always been
22 and should continue to be to protect the network from harm.
23 As stated earlier, these can be broken into four categories.
24 That you protect the network equipment from harm, to protect
25 the network personnel from harm, and protect the third party

1 from harm, for example, cross-talk, and the fourth, of
2 course, is a billing protection. These harm conditions were
3 valid in the beginning of the Part 68 program and are still
4 valid in today's environment and in the foreseeable future.

5 It is imperative, however, that Part 68 continue
6 with at least a minimal set of rules as a national
7 requirement to prevent the previous mentioned harms from
8 occurring. Furthermore, this minimal set of rules would
9 provide federal preemption and prevent state regulators from
10 imposing differing requirements relating to telecom
11 equipment attachments resulting in an unnecessary expense
12 for manufacturers and operators.

13 Part 68 should not be eliminated, but maintained
14 and changed as the environment and technology requires. We
15 believe that the reliance on the marketplace in lieu of Part
16 68 is not a viable alternative.

17 We feel that there are some rules which are no
18 longer necessary, should be eliminated, while others should
19 be changed. And the Nortel Networks believes that the
20 standards development organization such as a TIA and T(1)
21 could undertake a project to review the relevance of the
22 existing technical requirements contained in Part 68. In
23 addition, the review of the new and emerging technologies
24 which should be incorporated into the rules could also be
25 addressed.

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1 We feel that the rules and the rulemaking process
2 should be flexible enough to allow the adoption of new and
3 changing technology without an extensive time delay between
4 introduction of the new technology and the ability to market
5 the technology. And we believe that this can best be
6 achieved by the involvement of standard development
7 organizations. Thank you.

8 MS. MAGNOTTI: Thank you. The rest of the panel
9 will be questions and discussion. And I'd first like to ask
10 if there are any Commission questions at the moment.
11 There'll be more chances later.

12 MR. VARMA: I have a couple of questions,
13 actually. I think we have heard from the telephone
14 industry, the industry that operates the network. We have
15 heard from laboratories that do the testing. We have heard
16 from equipment manufacturers, I suppose, and companies that
17 manufacture switches, et cetera.

18 Is it fair for me to say that by and large the
19 consensus here of the speakers this morning is that we must
20 retain Part 68 or the bulk of Part 68 because these rules
21 are required to maintain the integrity of the network? And
22 we may have dozens of rules within Part 68. And the
23 consensus appears to be that maybe there are two or three or
24 four of those rules or subrules that we can do without. But
25 by and large, the bulk of what we still need is for protection.

1 Is that a fair statement that we need Part 68 in
2 some form or the other?

3 MR. SALINAS: As a mandatory, regulatory version,
4 yes, sir, because that is the only place that it is a court
5 of law where I can say, "You will not harm by network. You
6 will not harm by people, and you will not interfere with my
7 other customers." Anything that's done by a standards body
8 is strictly voluntary. And in that scenario, I cannot take
9 somebody in a court of law and say, "You did not comply with
10 a voluntary standard," versus "You did not comply with a
11 mandatory standard that carries the power of law."

12 MR. VARMA: Okay. Paul?

13 MR. HART: Yes. Paul Hart. Thank you. The
14 observation I would have is that it is true. That a
15 standards body, by definition, their requirements aren't
16 mandatory, but the FCC could take action or could establish
17 a framework by which the results of some of those specific
18 activities could have that force. So you would -- I believe
19 there is the opportunity to take advantage of the relative
20 speed.

21 You know, there are some people that'll snicker,
22 but the relative speed of a body like that to develop and
23 work on issues and generate new standards, and at the same
24 time have the FCC be able to recognize those and have them,
25 in essence, have the force of law. So I think we have that